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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,515	09/28/2001	Michael S. Kopreski	00-1312-C	5477
20306	7590	06/04/2004	EXAMINER	
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP			LU, FRANK WEI MIN	
300 S. WACKER DRIVE			ART UNIT	
32ND FLOOR			PAPER NUMBER	
CHICAGO, IL 60606			1634	

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT
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PAPER
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**Commissioner for Patents**

According to 37 C.F.R. 197 (e), "each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or (2) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement." In the communication mailed March 4, 2004, the examiner indicated that "[S]ince applicant does not show that 'no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application,' that states in 37 C.F.R. 197 (e), applicant's statement pursuant to 37 C.F.R. 1.97 (e) filed on July 22, 2003 does not satisfy 37 C.F.R. 197 (e) and IDS filed on July 22, 2003 will not be considered." Since in the IDS filed on April 26, 2004, applicant does not respond to the communication mailed on March 4, 2004 but resubmits IDS, applicant's response is considered as non-responsive. Applicant is required to respond to the communication mailed on March 4, 2004.


Papers related to this application may be submitted to Group 1600 by facsimile transmission. Papers should be faxed to Group 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993)(See 37 CAR § 1.6(d)). The CM Fax Center number is either (703) 308-4242 or (703)305-3014.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Lu, Ph.D., whose telephone number is (571)272-0746. The examiner can normally be reached on Monday-Friday from 9 A.M. to 5 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion, can be reached on (571)272-0782.

Any inquiry of a general nature or relating to the status of this application should be directed to the Chemical Matrix receptionist whose telephone number is (703) 308-0196.

Frank Lu  
PSA  
June 2, 2004

  
**FRANK LU**  
**PATENT EXAMINER**